

MOORHEAD WINS ELECTION SUIT

Leslie Decides Commissioner
May Instruct Judges in Ac-
cord with Demos' Plan.

NEED NOT NAME FAVORITES

Pleading for the "poor unfortunates, the deaf and dumb, blind, lame and halt, who would be deprived of their franchise" if the petition were granted to enjoin Harley G. Moorhead, election commissioner, from instructing judges and clerks so the democrats would have leeway to vote for "straight" tickets all the illiterates registered in Greater Omaha, attorneys for Moorhead waxed eloquent before Judge Leslie and dramatically asked if the court "proposed to exclude these afflicted persons."

Decides for Moorhead.

After hearing the nearly four hours' arguments of the attorneys for the plaintiff and the defendant Judge Leslie sustained the demurrer filed by Mr. Moorhead, thus deciding in favor of the election commissioner.

The petition sought to enjoin Mr. Moorhead from instructing election judges and clerks to mark ballots of voters requiring assistance for a "straight" ticket without stating for what candidates they wish to vote. The provisions of the election commission law specifically provide, as heretofore construed by Mr. Moorhead, that the ballot of an assisted voter can be marked only for the candidates whom the voter names by "word of mouth."

Byron G. Burbank and John P. Breen appeared as attorneys for the plaintiff.

Defendants were represented by Frank Ransom and County Attorney Magney.

Must Follow Law.

Mr. Burbank argued that when the state legislature made the election laws it didn't give any individual discretionary powers to interpret these laws, the sole duty of the election commissioner in the point in question being to have printed and to distribute the instructions as provided by the statutes.

That the election commissioner was not trying to make any addition on these laws nor wished to do more than explain them to the judges, clerks and voters was the contention of County Attorney Magney. He declared that it was well within the province of the election commissioner to see to it that the clerks and judges were given instructions in their duties.

One of the county attorney's statements was to the effect that the state legislature "didn't intend that the election commissioner should be only a figurehead and not do more than merely give out the instructions."

Attorney Ransom opened his argument by averring that "just because the statutes do not specifically say that he (meaning the election commissioner) must not do a certain thing, it does not necessarily follow that he must not do it."

Would Lose Franchise.

The most talkative attorney for the defendants next glided into "high" rhetoric and made a plea for "charity." He argued that he had never heard of a law that didn't make every consideration of charity, declaring that if the election commissioner was enjoined from sending out instructions so that the illiterates, etc., could be voted "the franchise of these poor unfortunates would be taken away." Frequent references were made to the "blind, deaf and dumb and the poor cripples."

Election judges and clerks are supposed to "do more than sit there as lunkheads," he told the court.

If the court enjoined the election commissioner from sending out instructions and the illiterates and their clan had to cast their ballots only for the candidates for whom they could name by "word of mouth," it would "place a heavier burden on the cripples than on the stalwart democratic ticket."

Not Party Issue.

Mr. Breen opened his argument by asserting that "he had never seen so much concern about the republicans and the poor unfortunates." However, he pointed out, the case should not be decided on the issue of any party or for any "poor unfortunates."

He read the law relative to the duties of the election commissioner and then declared that the legislature, having covered the matter of providing for what the official (in this case, Harley G. Moorhead) could and could not do, had not seen fit to give him any discretionary power to take it upon himself to make additions to the officials as provided by law.

At this juncture Mr. Moorhead came into court and admitted the fact that he intended sending out the instructions to voters, but denied that they were to be put in the form of an addition to "Schedule B, Instructions to Voters."

The fact that Nebraska has made concessions to the illiterates, cripples, blind, etc., that are not enjoyed by this class of voters in many states was brought out by Mr. Breen. "We have gone many states one bet-

ter by allowing the illiterates, cripples, deaf and dumb and the blind to vote, but we don't intend that someone else can vote for him."

Should Study Candidates.

If the legislature saw fit to give the illiterate the right to vote, providing he lives up to certain rules, he should think enough of his franchise to study up the candidates and be qualified to stand the "word of mouth" test, Mr. Breen contended. He said that the state of Massachusetts won't let this class vote at all.

"There is charity of the law in the case of the illiterates," Mr. Breen argued. "We say to the unfortunate, 'we'll assist you, but confine you within such limits as are of the best interests of the public in casting your ballot.'"

Liberal Interpretation.

Judge Leslie in handing down his decision said that he would give the case a "liberal interpretation."

The judge said that as far as Mr. Moorhead's supervision of the judges and clerks was concerned, there was not much doubt as to his authority, adding that, however, if the election commissioner had, in the opinion of the court, given out instructions contrary to law, he would be enjoined.

Judge Leslie also stated that if the election commissioner had added anything to "Schedule B," he would regard it as a violation of the law.

U. P. Superintendent Now

Holding Down Two Jobs

W. A. Whitney, Union Pacific superintendent of transportation, has gone to Cheyenne, where he will have temporary charge of the Wyoming division, relieving Superintendent Toucey, who is absent for a time.

During his superintendency of the business of the Wyoming division, Mr. Whitney will continue at the head of the Union Pacific's transportation department, combining the work of the two offices.

Fined for Disturbing

A Meeting of the Drys

Rodney Churchill, Bentley, Ia., was fined \$25 and costs in police court for disturbing a dry meeting at Sixteenth and Douglas streets. Rev. J. P. H. Forsander, pastor of the Swedish Baptist church, Council Bluffs, had him arrested and appeared against him in police court.



HOTEL ASTOR
NEW YORK

-621-

residents of Nebraska registered at Hotel Astor during the past year.

Single Room, without bath,	\$2.50 and \$3.00
Double	\$3.50 and \$4.00
Single Room, with bath,	\$4.00 to \$5.00
Double	\$4.50 to \$7.00
Parlor, Bedroom and bath,	\$10.00 to \$14.00

TIMES SQUARE
At Broadway, 44th to 45th Streets—
the center of New York's social and
business activities. In close proximity to
all railway terminals.

A Letter Worth \$100 Cash

ought to be a very good letter — RAYMOND'S chose the subject of such a letter believing it to be a very important subject and of much human interest. The subject of selling does interest everyone. Our interest lies in the welfare of our customers. Tell us how you would be waited upon. Your letter will be filed, and, along with all the others, be placed before five disinterested judges after Nov. 15.

Write your letter today while some "idea" may be fresh in your mind.

Raymonds
1513 1515 Howard St.

Christian Endeavors Plan Temperance Playlet

A temperance playlet will be given in connection with the state Christian Endeavor convention Sunday at 1:45 p. m. in the First Christian church. It is called "At the Court of Miss Columbia" and will be presented by

fifty-six characters. Mrs. J. H. Ellis, secretary, superintendent of "intermediate" societies in Omaha, has been active in arranging it.

Among the characters will be nineteen girls representing the "dry" states and seven others representing those states voting on prohibition this year. Harry Doran represents

Uncle Sam, with Jack Landale as his flag bearer.

Ruth Bruechert is "Miss Columbia" and her attendants are Evelyn Westgate and Isabel Campbell. The following are "diplomats from foreign countries": Russia, Walter Cantlin; New Zealand, George Jennings; Germany, Donald Mahaffey; Great Bri-

tain, Harold Boggs; France, Howard Voerner; Canada, Edward Peuler; Austria, Leonard Camp; Sweden, Joe Hiddistson; Hungary, Theodore Woods; Iceland, Joe Louis Flainholpa; Newfoundland, Herriek Young.


Persistent Advertising is the Road to Success.

Butter is Stolen from One of Alamito Wagons

The Alamito Dairy company, Twenty-sixth and Leavenworth streets, informs the police that a considerable quantity of butter in pound packages was stolen from one of their wagons at Seventeenth and Grace streets.

November Sales Saturday Offer Splendid Opportunities for Real Economies

Winter Underwear Specials



Ladies' all wool Union Suits, in natural and white; worth to \$3, at... \$1.98 and \$1.50

Ladies' silk and wool Union Suits, in flesh and white, any style, at \$2.50 and \$3.50

Ladies' medium weight and heavy fleeced suits, low or high neck, long sleeves, or no sleeve, ankle length, at... 98c and 49c

Ladies' scarlet and natural all wool vests and pants, at... \$1.25

Ladies' heavy fleeced vests and pants at 25c, 49c

Ladies' outing gowns, heavy quality, worth to \$8; at... 49c, 98c, \$1.50

\$1.00 boudoir caps, at 49c. Dainty crepe de chine and satin.

Children's heavy fleeced vests and pants, at 25c

Children's union suits, heavy fleeced, gray or white; boys' and girls', all sizes, at... 50c

Children's wool suits, up from... 75c

Children's black sateen bloomers, all sizes; heavy quality, 50c values, at... 35c

Crepe de chine envelope combination suits corset covers, Italian silk vests, worth to \$8.00; at... \$1.50


Corset covers, gowns, combination and odd lots and samples, regular \$1 values; at... 49c

HAYDEN'S

16 TH DODGE AND DOUGLAS STREETS

Hosiery Quality That Insures Satisfaction

We will not sacrifice quality for low price, but at each price you'll find superior values.



New Silk Hosiery, showing latest designs for street and evening wear, in plain and fancy colors; best makes; from \$1 up to \$5.

Women's medium and heavy weight wool and fleeced hose, regular and extra sizes... 35c

Women's regular and extra size Hursan fashioned hose, in black and gray; 86c values, special, 25c

Children's medium and heavy weight fleeced hose; 25c values... 19c

Infants' silk and wool hose, black and white, 50c values, special... 30c

Women's fine cashmere and black and white, regular and extra sizes; \$1.00 values... \$1.00

silk and wool... 98c

Women's French Kid Gloves

We can safely say our stock of Women's French Kid Gloves is the most complete and the largest in the city. Women's novelty gloves in black and white combination — also the new grays and Newports, per pair, \$1.50 and... \$2.50

Women's French Lamb Skin Gloves, in black, white and colors, per pair, at... \$1.19

Women's guaranteed washable kid gloves in America's best makes; very pretty styles and colors, at pair... \$1.19, \$1.50, \$2.00, \$2.50

Big special for Saturday in women's gloves, in capes and lamb skins; most all colors, pr. 89c

Women's chamomille gloves, in white and colors; very special for Saturday, at per pair, each... 39c and 69c

Children's warm kid gloves and mittens, made with a clasp or closed elastic wrist, gauntlet top; bear skin gauntlets, also wool mitts and gloves; at, pair... 25c and 59c

A Wonderfully Superior Showing of Authentic Styles in Outer Apparel

Broad Assortments of Charming Style Ideas for the Women, the Growing Miss or the Little Tots, at Prices Which, Quality Considered, Insures Satisfaction, Service, Savings. See These Specials.

ELEGANT NEW TAILORED SUITS

Made to sell up to \$69.00, over 125 in the lot, at **\$39.50** choice.

Materials are fine Velvets, Wool Velours and Chiffon Cloths; nearly all are exclusive models. Truly wonderful values in Saturday's sale.

BEAUTIFUL NEW BLOUSES

Over 200 of them, made to sell at \$5.00 and \$5.95; choice, **\$3.95** Saturday.

A bevy of beautiful designs, in Georgette Crepes, Crepe de Chines and Laces, in flesh, white, maize, peach, black, blue and novelties. Wonderful values at the sale price.

IN CHILDREN'S DEPARTMENT.

New Coats for Little Tots, in almost endless variety of styles and choicest materials. Saturday, **\$3.95** and **\$5.95**

Hundreds of Nobby Winter Coats, sizes 6 to 14 years, in broad assortment of styles and materials, four lots... \$5, \$7.50, \$10, \$12.50



ELEGANT NEW COATS

In 25 distinctive styles, greatest values of the season, at, choice... **\$25**

Materials are Plushes, Velours, Broadcloths, Meltons and Handsome Novelties. All new styles, for all occasions. Single or double belted, full, loose or semi-fitted effects. 65 New Velvet Coats just received, Saturday— at... \$49, \$65 and \$75

Over \$15,000 Worth of New Winter Coats Contracted for Several Months Ago, Go

ON SALE IN THREE LOTS

at prices less than actual wholesale cost today.

\$15 Saturday secures your choice of a great line of Smart Coats for street, motor or traveling wear. In Chevots, Wool Velours, Novelty Plaids and Mixtures; flare or belted models, all sizes and colors.

\$19.75 Secures choice of a big assortment of handsome New Coats, in Plushes, Velours, Broadcloths and Novelties; loose semi-fitted and belted effects; square or shawl collars; trimmed or inlaid with Velvet, Plush and Beaver Cloth. Twenty distinctive styles for selection Saturday.

Specials for Saturday

Neckwear, Veilings and Hair Goods at 1/2 Regular Price.

Georgette crepe and crepe de chine collars and sets, at each... \$1.25 and \$1.50

Flannel, Georgette crepe and organdie collars, in all the new shapes; a very good line for 50c

One lot of collars in organdie and Swiss—many pretty styles—lace trimmed and embroidered; regular price, 75c; Saturday special... 25c

Auto veils in all shades, at each... \$1.25 and \$2.00

Feather boas in black, white and colors, regular price \$3.00, sale price... \$2.00

Fancy mesh veiling in black tops, and white with narrow borders, per yard... 35c

Plain linen handkerchiefs 10c

A good assortment of fancy Swiss handkerchiefs for... 5c

Children's handkerchiefs, 3 in box; per box... 35c

Our Entire Stock of Hair Goods at Half Price.

Three separate strand switch, worth \$1.00, for... 50c

\$1.50 Switch, 75c.

Three separate strand switch, for... 75c

\$3.00 Switch, \$1.50.

A good line of three-strand switches, regular price \$3.00, for each... \$1.50

New Styles in Trimmed Hats

For the woman seeking a hat for dress, street or evening wear, will go into raptures over the handsome group we're featuring for Saturday. Gorgeous Gold and Silver Lace Hats, richly trimmed in Furs and Flowers.

Gourra and Paradise trimmed Hats, large and small White Hats, lustrous Silk Plush and Velvet Hats, each hat correctly trimmed. Styles that have been developed during the last ten days; specially priced, Saturday, at...

Velvet Dress Shapes---

The popular sailor styles, straight brims or turned-up effects. High and medium crowns, in black and colors. These hats retail in other stores at \$1.50. Specially priced for Saturday, at... **79c**

Paradise Stick-Ups

The new imitation paradise, so popular for high trimming; with and without head, 12 strands in Osprey, sell regularly at \$1.00, only... **59c**

New Flowers

In velvet and silk effects; also fruit and fur combinations. Very new and choice. Retail ordinarily at 50c, only... **19c**

Saturday SHOE Specials

Men's Goodyear welt shoes, in blucher, button or English styles... **\$3.50**

Hayden's Special Shoe for Men, vici or calf, button or blucher. The best shoe value ever offered at... **\$3.50**

Ladies' button or lace shoes, in patent leather or vici kid, plain or cloth tops, at... **\$3.00 and \$3.50**

Boys' Shoes, button or blucher, an all solid leather shoe, at... **\$2.50**

Misses' Shoes, vici kid, patent tip and gunmetal, button only; sizes 11 1/2 to 2, at... **\$2.00**

Children's Shoes, gunmetal and vici kid; sizes 8 1/2 to 11, at... **\$1.75**

Fit the Little Tot Saturday!

A clean-up sale of about 20 dozen hats, suitable for ages 3 to 9 years. Velvet and Plush Hats, Corduroy sets, tasseled Tams; \$1.50 and \$2.00 hats, only... **95c**

Saturday Special Corset Section—Second Floor

\$3.00 and \$4.00 corsets in odds and ends of standard makes—in medium bust, low bust, long and medium length skirts; rubber corsets and girdles, Saturday, at... \$1.49

\$1.00 Camisoles in pink or white silk, trimmed with val lace; special, at... 59c

Sweater Section, 2d Floor, Front Room. Children's knit or Angora toques in all styles and colors, at... 50c

A Sunday Treat

You have a treat for the family any Sunday with our Sunday Special.

For next Sunday's dinner we'll make

Vanilla Nut



Hardings
All Ice Creams